Case 14-33771-MBK Doc 41 Filed 05/14/17 Entered 05/15/17 00:276:28 Desc Imaged Certificate of Notice Page 1 of 3

PATRICK MOSCATELLO PM3747 90 Washington Street Long Branch, NJ 07740 732-870-1370 Attorney for Debtors

Order Filed on May 12, 2017 by Clerk U.S. Bankruptcy Court District of New Jersey

In re:	PAUL SAULYS and	)	CASE NO.: 14-33771/MBK
	GLORIA SAULYS	)	CHAPTER 13
	Debtor(s)	)	HEARING DATE:
Address	s: 412 Walnut Street Port Monmouth, NJ 07758	)	JUDGE: Michael B. Kaplan
Last fou	r digits of Social Security Nos.: 8174 and 3839	) )	
		)	

# ORDER STRIPPING OFF CLAIMS OF HOUSEHOLD FINANCE CORP. AND MODIFYING ITS RIGHTS

The relief set forth on the following pages, numbered two (2) through three (3) is hereby **ORDERED**.

**DATED: May 12, 2017** 

Honorable Michael B. Kaplan United States Bankruptcy Judge Re: In re Saulys

Bankruptcy No.: 14-33771/MBK

Caption: Order Stripping Off Claims of Household Finance Corp. and

Modifying Its Right

THIS MATTER being opened to the Court by Patrick Moscatello, Esq., attorney for the debtors, Paul Anthony Saulys and Gloria Saulys, and this Court having considered the argument of counsel and good cause appearing, and there being no opposition;

## IT IS HEREBY,

**ORDERED**, that the mortgage held by Household Finance Corp. shall be treated as unsecured claims pursuant to 11 U.S.C. Sec. 506(s) and (d) and U.S.C. 1322(b)(2). The total amount of approximately \$53,404.97 owed on the third mortgage shall be paid in the same manner and percentage as all other unsecured creditors; and it is further,

**ORDERED,** that upon completion of the debtors' plan, the second mortgage held by Household Finance Corp. shall be deemed cancelled, discharged, and of no effect; and it is further,

**ORDERED**, that upon completion of the debtors' plan payments, Household Finance Corp. shall immediately take all steps necessary and appropriate to release, cancel, and/or discharge the second mortgage recorded in the land records of this State; and it is further,

ORDERED, that in the event Household Finance Corp. fails to take all necessary steps to release, cancel and/or discharge the mortgage recorded in the land records of this State, then in that event the second mortgage made by the debtors to Household Finance Corp. in the original amount of \$55,000.00 and recorded in the office of the County Recording Offices of Monmouth County, New Jersey on May 10, 2006 in mortgage book OR-8562 on page 2828 (6 pages) shall be deemed paid and satisfied through the debtor's Chapter 13 proceeding and the County Recording Office is hereby authorized to cancel this mortgage. Debtor(s) may record a copy of the Order with the Monmouth County Recording Office to effectuate the release and discharge of the subject mortgage.

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Certificate of Notice Page 3 of 3
United States Bankruptcy Court
District of New Jersey

In re:
Paul Saulys
Gloria Saulys
Debtors

Case No. 14-33771-MBK Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0312-3 User: admin Page 1 of 1 Date Rcvd: May 12, 2017 Form ID: pdf903 Total Noticed: 1

Form ID: pdf903 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 14, 2017.

db/jdb +Paul Saulys, Gloria Saulys, 412 Walnut Street, Port Monmouth, NJ 07758-1244

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 14, 2017 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 12, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com

Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. nj.bkecf@fedphe.com

Denise E. Carlon on behalf of Creditor Wilmington Savings Fund Society, FSB, d/b/a Christiana

Trust, as indenture trustee, for the CSMC 2017-1 Trust, Mortgage-Backed Notes, Series 2017-1

dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

John R. Morton, Jr. on behalf of Creditor Wells Fargo Bank, N.A., d/b/a Wells Fargo Dealer Services; successor by merger to Wells Fargo Dealer Services, Inc., f/k/a Wachovia Dealer Services, Inc. mortonlaw.bcraig@verizon.net, tfitz@mortoncraig.com;mhazlett@mortoncraig.com Patrick Moscatello on behalf of Joint Debtor Gloria Saulys moscatellolawl@gmail.com, moscatellolaw2@gmail.com;moscatellolaw2@comcast.net

Patrick Moscatello on behalf of Debtor Paul Saulys moscatellolawl@gmail.com,

 $\verb|moscatellolaw2@gmail.com|| moscatellolaw2@comcast.net|$ 

TOTAL: 7